

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

DORIS P. MUNDO,

*Plaintiff,*

v.

DELTA AIRLINES INCORPORATED,

*Defendant.*

Civil Action  
No.03 CV 30311-MAP

**PARTIES' JOINT STATEMENT PURSUANT TO LOCAL RULE 16.1**

Pursuant to Local Rule 16.1(D), the parties submit the following joint statement:

**A. Overview**

Plaintiff filed her complaint on December 29, 2003 in the Federal District of Massachusetts. She claims that on or about March 11, 2001, she was injured and otherwise harmed as a result of Defendant's negligence where she was an intended passenger on one of Defendant's aircraft in New Orleans, Louisiana she became ill due to a disability of which Defendant was aware and Defendant, through its agents, failed to take reasonable steps to have prevented the illness, ameliorate its effects or aid in its consequences and thus negligently failed to render assistance despite Plaintiff's repeated requests that Defendant do so. Defendant has timely answered Plaintiff's complaint and has denied it was negligent.

**B. Agenda for Rule 16.1 Conference**

The parties suggest that the primary agenda for the initial scheduling conference will be to address the parties' proposed pretrial schedule set forth below.

**C. Settlement**

The parties will further discuss a settlement proposal within thirty days after their automatic disclosures have been submitted.

**D. Trial Before Magistrate.**

Not all parties have consented to trial by the Magistrate Judge and have submitted their signed consent forms to that effect.

**E. Rule 26(a)(1) Disclosures.**

The parties agree to serve their initial disclosures pursuant to Fed. R. Civ. P 26(a)(1) and Local Rule 26.2(A) by no later than June 5, 2004, or, within thirty days of the Scheduling Conference.

**F. Proposed Pretrial Schedule and Discovery Plan.**

The parties have discussed the concept of phased discovery in terms of specific issues, but do not believe it to be helpful to resolve the issues attendant to this case. The parties have agreed to conduct fact discovery first and then expert discovery.

The parties further agree to limit their interrogatories to 30 propounded by one party. In addition, it is doubtful that more than 10 fact witnesses will be required.

## 2. Schedule

The parties have conferred in order to discuss and develop a discovery plan and hereby propose that the following schedule govern the pretrial conduct of this action:

<u>Event</u>	<u>Deadline</u>
a. Close of factual discovery. Paper discovery served so that timely responses can be completed by this date. Deposition notices to be served.	<u>November 30, 2004</u>
b. Plaintiff's expert disclosures complete;	<u>January 31, 2005</u>
Defendant's expert disclosures complete;	<u>February 28, 2005</u>
Remaining expert discovery complete;	<u>March 31, 2005.</u>
c. All dispositive motions to be filed; responses are to be filed fourteen (14) days thereafter pursuant to L.R. 7.1.	<u>April 29, 2005; and</u>
d. Final Pretrial Conference	<u>To be scheduled</u>
e. Trial	<u>To be scheduled</u>

## G. Certification.

The parties' certifications, as required by Local Rule 16.1(D)(3),

have been filed and/or will be separately filed by the date of the Scheduling Conference.

Respectfully submitted,

  
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Jeanne A. Liddy, Esq.

BBO# 646478

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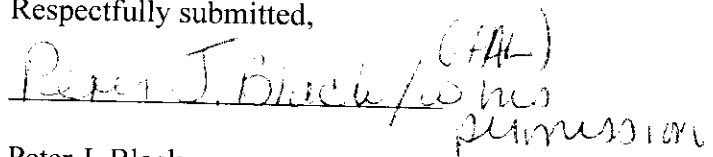
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*Counsel for Plaintiff*

-and-

Respectfully submitted,

  
\_\_\_\_\_  
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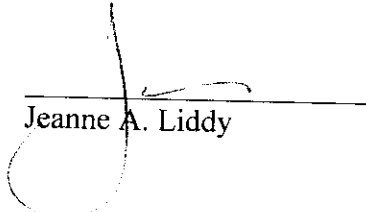
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Fax: (617) 523-0455

*Counsel for Delta Airlines Incorporated*

### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on April 29, 2004, I, Jeanne A. Liddy, Esq., of 94 North Elm Street, Suite 207, Westfield, MA 01085, counsel for plaintiff, Doris Mundo, have served the foregoing document, by mailing a true copy first-class mail, postage prepaid, to Peter Black, Esq., at Two Center Plaza, Suite 600, Boston, MA 02108, of Meehan, Boyle, Black & Fitzgerald, P.C., counsel of record for Delta Airlines Incorporated.

  
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Jeanne A. Liddy